

**ASSEMBLY BILL**

**No. 1360**

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**Introduced by Assembly Member Ting**

February 27, 2015

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An act to amend Section 5401 of the Public Utilities Code, relating to charter-party carriers of passengers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1360, as introduced, Ting. Charter-party carriers of passengers: individual fare exemption.

The Passenger Charter-Party Carriers' Act generally requires charges for transportation to be offered or afforded by a charter-party carrier of passengers to be computed and assessed on a vehicle mileage or time-of-use basis, rather than on an individual-fare basis, subject to certain exemptions.

This bill would also exempt from these provisions a rideshare program operated by a transportation network company that arranges a ride among multiple passengers who share the ride in whole or in part, provided that the fare for each passenger is less than the fare that would be charged to a single passenger traveling alone.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 5401 of the Public Utilities Code is
- 2 amended to read:
- 3 5401. Charges for the transportation to be offered or afforded
- 4 by a charter-party carrier of passengers shall be computed and

1 assessed on a vehicle mileage or time of use basis, or on a  
2 combination thereof. These charges may vary in accordance with  
3 the passenger capacity of the vehicle, or the size of the group to  
4 be transported. However, no charter-party carrier of passengers  
5 shall, directly or through an agent or otherwise, nor shall any  
6 broker, ~~contract, agree, or arrange to charge, or demand or receive~~  
7 ~~compensation,~~ *contract for, agree to, or demand or receive*  
8 *compensation in an amount, or arrange to charge an amount,* for  
9 the transportation offered or ~~afforded~~ *afforded*, that shall be  
10 ~~computed, charged, or assessed~~ *computed* on an individual-fare  
11 basis, except ~~schoolbus~~ *as follows*:

12 (a) *Schoolbus* contractors who are compensated by parents of  
13 children attending public, private, or parochial ~~schools and except~~  
14 ~~operators~~ *schools*.

15 (b) *Operators* of round-trip sightseeing tour services conducted  
16 under a certificate subject to Section 5371.1, or a permit issued  
17 pursuant to subdivision (c) of Section 5384.

18 (c) *A rideshare program operated by a transportation network*  
19 *company subject to this chapter that arranges a ride among*  
20 *multiple passengers who share the ride in whole or in part,*  
21 *provided that the individual fare for each passenger is less than*  
22 *the fare that would be charged for the same ride to a single*  
23 *passenger traveling alone.*